

to stay proceedings in this matter. The Court's stated basis for the stay was to wait on the outcome of an interlocutory appeal in another case involving the same Defendants, captioned *Baker, et al. v. Atlantic Richfield, et al.*, No. 2:17-cv-00429-JVB-JEM. That appeal was decided with no impact on the present case.

4. On July 31, 2020, after the Court lifted the stay, Defendants re-filed essentially the very same motions to dismiss making substantially the same arguments as their 2018 Motions (Dkt. Nos. 115, 118, and 121). These re-filed motions were fully briefed as of August 28, 2020. The Court has not ruled on the re-filed motions.

5. On February 23, 2021, Plaintiffs filed their Motion to Set a Federal Rule of Civil Procedure Rule 16 Conference ("Motion to Set a Rule 16 Conference"). The Motion to Set a Rule 16 Conference was fully briefed as of March 11, 2021 (Dkt. Nos. 132, 135-138).

6. On March 25, 2021, the parties appeared before Magistrate Judge Martin for the hearing on the Motion to Set a Rule 16 Conference; however, the parties did not address the merits of the Motion to Set a Rule 16 Conference. During the hearing, Magistrate Judge Martin asked the parties if they objected to having the same magistrate judge assigned to this case and the other four cases asserting claims related to the contamination of the U.S.S. Lead Superfund Site. The parties did not object, and Magistrate Judge Martin reassigned the case to Magistrate Judge Kolar and did not address the merits of the Motion to Set a Rule 16 Conference.

7. DuPont has engaged in merits discovery in *Rolan v. Atlantic Richfield Co.*, No. 1:16-CV-357-TLS, (Springmann, J.), which asserted claims related to the contamination of the U.S.S. Lead Superfund Site.

Dated: April 7, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that on April 7, 2021, he caused a true and correct copy **PLAINTIFFS' STATUS REPORT** to be served via the Court's ECF/electronic mailing system and/or email upon all counsel of record.

/s/ David J. Chizewer